

Translation

PATENT COOPERATION TREATY

PCT/EP2003/006376



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference Cas 2154PCT/MS	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/006376	International filing date (day/month/year) 17 juin 2003 (17.06.2003)	Priority date (day/month/year) 21 juin 2002 (21.06.2002)
International Patent Classification (IPC) or national classification and IPC G02F 1/1345, 1/13		
Applicant ASULAB S.A.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☒ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 17 décembre 2003 (17.12.2003)	Date of completion of this report 14 April 2004 (14.04.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2003/006376

I. Basis of the report

1. With regard to the elements of the international application:*

☒ the international application as originally filed

☒ the description:

pages _____ 1-10 _____, as originally filed

pages _____, filed with the demand

pages _____, filed with the letter of _____

☒ the claims:

pages _____ 1-13 _____, as originally filed

pages _____, as amended (together with any statement under Article 19

pages _____, filed with the demand

pages _____, filed with the letter of _____

☒ the drawings:

pages _____ 1/5-5/5 _____, as originally filed

pages _____, filed with the demand

pages _____, filed with the letter of _____

☐ the sequence listing part of the description:

pages _____, as originally filed

pages _____, filed with the demand

pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).

☐ the language of publication of the international application (under Rule 48.3(b)).

☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2003/006376

III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application.

☒ claims Nos. 13

because:

☐ the said international application, or the said claims Nos. _____
relate to the following subject matter which does not require an international preliminary examination (*specify*):

☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. _____
are so unclear that no meaningful opinion could be formed (*specify*):

☐ the claims, or said claims Nos. _____ are so inadequately supported
by the description that no meaningful opinion could be formed.

☒ no international search report has been established for said claims Nos. 13.

2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

☐ the written form has not been furnished or does not comply with the standard.

☐ the computer readable form has not been furnished or does not comply with the standard.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP 03/06376

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-12	YES
	Claims		NO
Inventive step (IS)	Claims	1-12	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-12	YES
	Claims		NO

2. Citations and explanations

1.1. It appears clearly from the description (cf. page 3, lines 18-30) that it is essential to position the conducting pads "on at least a portion of the rear edge of the cell" (page 4, lines 17-22) in order to prevent the conducting tracks from tearing at those points where they fit the rim of the cell (problem solved by the invention). Since the independent claims do not contain this essential feature, they do not meet the requirements of PCT Article 6, in combination with PCT Rule 6.3(b), which stipulate that an independent claim must contain all the essential technical features required to define the invention.

1.2. It will be assumed hereinafter that the independent claims include the fact that the conducting pads are positioned "on at least a portion of the rear edge of the cell".

2. Reference is made to the following documents:

D1: PATENT ABSTRACTS OF JAPAN, vol. 005, no. 138 (P-078), 2 September 1981 & JP 56 075624 A (CASIO COMPUT CO LTD), 22 June 1981.

D2: PATENT ABSTRACTS OF JAPAN, vol. 006, no. 053 (P-109), 8 April 1982 & JP 56 168628 A (CASIO COMPUT CO LTD), 24 December 1981.

3. Documents D1 and D2 are the closest prior art relative to the subject matter of the independent claims.
- 3.1. Document D1 describes a liquid crystal cell including a front substrate (11) and rear substrate (12) connected by a sealing frame (15). The substrates carry electrodes (13, 13a, 14, 14a) as well as conducting tracks (16) extending from the areas where the electrodes are flush with the edge of the cell up to the rear surface of the cell (16a). Moreover, the conducting tracks consist of two portions (16, 16a), one (16) of which contacts the electrodes, and the other (16a) of which extends over the rear surface of the cell.
- 3.2. The teaching of document D2 is similar to that of D1 (cf. figures).
4. Since neither of these two documents discloses contact pads providing an electrical connection between the first and second portions of the conducting tracks, the claims meet the requirements of PCT Article 33(2).
Moreover, since this feature does not appear to be obvious from the prior art, said claims also meet the requirements of PCT Article 33(3).
5. The industrial applicability of the entire set of claims is clear from the disclosure of the application (PCT Article 33(4)).
6. Claims 1 and 8 have been drafted as separate

independent claims. Since both these claims relate to display cells and the subject matter of claim 8 appears to be similar to that of claim 7, which itself refers back to the first claim, the present set of claims is not concise and the application does not meet the requirements of PCT Article 6.

- 7.1. The subject matter defined by claims 1 and 8 is not clearly defined (PCT Article 6) since, according to the wording thereof (cf. "wherein said electrodes are intended to be connected via conducting tracks to an electrical circuit"), the "conducting tracks" and the "electrical circuit" do not form part of the claimed subject matter, whereas the conducting tracks are an essential feature of the invention. In this regard, it has been assumed that: "said electrodes [are] connected to conducting tracks that are in turn intended to be connected to an electrical circuit".
- 7.2. The "rear surface" of the cell having been defined in the independent claims, this expression has been substituted for the term "back" (of the cell) that appears in claims 1 and 8.
- 7.3. It appears that reference numbers 20 and 22 have been interchanged between the claims, the description and the figures.